

0024

OK Internal  
c/015/0015

**From:** Steve Christensen  
**To:** Angela Nance; Daron Haddock; Jim Smith; Joe Helfrich; Karl Houskeepe...  
**Date:** 4/15/2008 11:16 AM  
**Subject:** Emery NOV #10005  
**Place:** OGMCOAL  
**Attachments:** 2929\_NOV10005\_Abatement\_Letter.doc

Emery Folks,

Attached is an approval letter for the abatement of NOV #10005. After consulting with Division staff and reviewing the submitted information, Emery has addressed the three conditions for abatement of the refuse pile NOV. Please review the letter and let me know if any changes/edits need to be made before we give it to Angela. I've placed the attached letter in the FINAL folder for task #2929 (O:\015015.EME\FINAL\WG2929) on the 'O' drive. Task #2929 is the last ID # for this NOV.

Wayne- Daron and I looked at the bond information that was submitted and verified the addition of \$440,000. The rider was in the original copy that was sent to us.

Joe- When you get back to SLC, we can talk about the final payment of the penalty. John Gefferth has indicated that he has a check cut for the original penalty. He thought it was around \$500.00- 700.00. I told him that I'd talk to you when you got back about the final assessment and payment of the fine.

Karl- Daron indicated that there's a violation termination form that you (as inspector) fill out. Let me know if there's anything you need from me for that. I've verified the conditions to abate the violation that we outlined in our last letter to Consol, so we should be good to go.

I guess that's it. Let me know if there are any questions or problems.

thanks,  
Steve



JON M. HUNTSMAN, JR.  
Governor

GARY R. HERBERT  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

April 15, 2008

John A. Gefferth, Environmental Engineer  
Consolidation Coal Company  
P.O. Box 566  
Sesser, Illinois 62884

Subject: Approval for Abatement of Notice of Violation #10005 (Refuse Drainage to Pond 8), Consolidation Coal Company, Emery Deep Mine, C/015/0015, Task ID #2929, Outgoing File

Dear Mr. Gefferth:

A Division of Oil, Gas and Mining (the Division) conditional approval letter was mailed to Consolidation Coal Company (the Permittee) on March 4<sup>th</sup>, 2008. The letter indicated that upon the submittal of four clean copies and one disc to the Division, Notice of Violation #10005 (NOV #10005) would be abated upon the following conditions:

1. Part of the update to the MRP involved modification of the reclamation cost estimate. The Division determined that the bond amount is inadequate to ensure that the Division could adequately reclaim the site in the event of bond forfeiture. The Permittee must increase the bond by \$440,000. If the Permittee fails to post the additional bond amount the Division will take additional enforcement action.
2. The Permittee must demonstrate that a qualified registered professional engineer has certified all of the submitted cross-sections, plates and hydrologic designs relative to NOV #10005. A stamp may be provided on the initial page of the hydrologic calculations with a statement that specifies which pages/calculations the certification pertains to.
3. In addition, the Permittee will commit (in accordance with R645-301-731.311) to sampling the existing waste pile at least one year prior to final reclamation. The core sampling will be conducted on a grid over the surface of the pile with a minimum of 5 cores. A sample from each core will be taken at 5 ft intervals.





John Gefferth  
JON M. HENNINGSEN, 2008  
Governor

GARY R. HERBERT  
Lieutenant Governor

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Each 5 ft. interval will be analyzed for pH, EC, SAR, Acid Base Accounting, Se, B, and texture. The results of the analysis will be reported to the Division promptly and will be included in the annual report. The final reclamation handling plan may change, based upon these analyses."

On April 08<sup>th</sup>, 2008, the Division received four clean copies and one disc from the Permittee. Division staff reviewed the submitted information and determined that the aforementioned conditions have been adequately addressed. This letter serves as notice that NOV #10005 is officially abated. The submitted information has been incorporated into the approved Mining and Reclamation Plan (MRP). Enclosed is a stamped incorporated copy of the approved information for insertion into your copy of the MRP.

If you have any questions, please call me at (801) 538-5325 or Steve Christensen at (801) 538-5350.

Sincerely,

Daron R. Haddock  
Permit Supervisor

skc  
cc: Price Field Office  
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